
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Georgia Eagle Media, Inc)	
)	File No.: EB-FIELDSCR-13-00008883
Licensee of Station WRWR-FM)	
Cochran, GA)	NOV No.: V201332480017
)	
Licensee of Station WNNG-FM)	Facility IDs: 26626, 15309
Unadilla, GA)	
)	
)	

NOTICE OF VIOLATION

Released: July 1, 2013

By the District Director, Atlanta Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Georgia Eagle Media, Inc., licensee of radio Stations WRWR-FM and WNNG-FM, located in Cochran and Unadilla, Georgia, respectively. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On May 23, 2013, an agent of the Enforcement Bureau's Atlanta Office inspected the co-located main studio of Stations WRWR-FM and WNNG-FM, and observed the following violation(s):

- a. 47 C.F.R. § 11.56: "Obligation to process [Common Alerting Protocol] CAP-formatted EAS messages. (a) On or by June 30, 2012, EAS Participants must have deployed operational equipment that is capable of the following: (1) Acquiring EAS alert messages in accordance with the monitoring requirements in §11.52(d)(2); (2) Converting EAS alert messages that have been formatted pursuant to the Organization for the Advancement of Structured Information Standards (OASIS) Common Alerting Protocol..." During the inspection, Station WRWR-FM did not have the required CAP-formatted EAS equipment installed.³

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

³ Station WRWR is co-located with co-owned Station WNNG-FM. Pursuant to Section 11.51(l), these stations share the same EAS equipment.

- b. 47 C.F.R. § 11.52 (d): “EAS Participants must comply with the following monitoring requirements: (1) With respect to monitoring for EAS messages that are formatted in accordance with the EAS Protocol, EAS Participants must monitor two EAS sources. The monitoring assignments of each broadcast station and cable system and wireless cable system are specified in the State EAS Plan and FCC Mapbook.” During the inspection, Station WRWR-FM was only monitoring one EAS source.
- c. 47 C.F.R. § 73.3526(e)(12): “*Radio issues/programs lists*. For commercial AM and FM broadcast stations, every three months a list of programs that have provided the station’s most significant treatment of community issues during the preceding three month period. The list for each calendar quarter is to be filed by the tenth day of the succeeding calendar quarter (e.g., January 10 for the quarter October-December, April 10 for the quarter January-March, etc.). The list shall include a brief narrative describing what issues were given significant treatment and the programming that provided this treatment. The description of the programs shall include, but shall not be limited to, the time, date, duration, and title of each program in which the issue was treated.” During the inspection, Stations WRWR-FM and WNNG-FM were missing issues/programs lists for the 1st quarter of 2013 and the 3rd and 4th quarters of 2012.

3. As the nation’s emergency warning system, the Emergency Alert System is critical to public safety, and we recognize the vital role that broadcasters play in ensuring its success. The Commission takes seriously any violations of the Rules implementing the EAS and expects full compliance from its licensees. We also must investigate violations of other rules that apply to broadcast licensees.

4. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,⁴ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Georgia Eagle Media, Inc. must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁵

5. In accordance with Section 1.16 of the Rules, we direct Georgia Eagle Media, Inc. to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Georgia Eagle Media, Inc. with personal knowledge of the representations provided in Georgia Eagle Media, Inc.’s response, verifying the truth and accuracy of the

⁴ 47 U.S.C. § 308(b).

⁵ 47 C.F.R. § 1.89(c).

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information therein,⁶ and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁷

6. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Atlanta Office
3575 Koger Blvd., Suite 320
Duluth, GA 30096

7. This Notice shall be sent to Georgia Eagle Media, Inc. at its address of record.

8. The Privacy Act of 1974⁸ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Douglas G. Miller
District Director
Atlanta District Office
South Central Region
Enforcement Bureau

⁶ Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

⁷ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

⁸ P.L. 93-579, 5 U.S.C. § 552a(e)(3).